

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

KRYSTAL ARCHIE, et al.,)	
)	
Plaintiffs,)	No. 19-cv-04838
)	Judge Robert W. Gettleman
v.)	Magistrate Judge Jeffrey Cummings
)	
THE CITY OF CHICAGO, et al.)	JURY DEMANDED
)	
Defendants.)	

THE PARTIES' JOINT STATUS REPORT

NOW COME the Parties, by and through their respective counsel, and pursuant to the Court's December 10, 2020 Order, provide a joint status report, stating as follows:

On December 10, 2020, the Court issued the following order, stating in part:

The parties are ordered to file a joint status report on 2/22/21 specifying what discovery has been completed, what discovery (including the identities of witnesses to be deposed) that still needs to be completed, whether the parties have exchanged settlement demands and offers, and whether the parties are interested in scheduling a settlement conference.

(Dkt. 132).

A. Pending Motions

On January 26, 2021, Plaintiffs filed a Motion to Reassign four other search warrant and excessive force cases, all with Monell claims, to Judge Gettleman for consolidated proceedings. (Dkt. 133). Defendants filed their Joint Response in Opposition to the Motion to Reassign on February 16, 2021. (Dkt. 142). Plaintiffs' Reply is due March 2, 2021, and the Court has set the ruling date for May 11, 2021. (Dkt. 134). In the event the motion is granted, it may affect the discovery schedule set in this case.

Defendant City of Chicago filed its Motion to Bifurcate Monell Claims and Stay Discovery and Trial on Those Claims on January 27, 2021. (Dkt. 135). Defendant Officers filed a Motion to Join the

City's Motion to Bifurcate. (Dkt. 138). The Court has entered and continued the Motion to Bifurcate to May 11, 2021. (Dkt. 137).

B. Completed Discovery

The Parties have exchanged Rule 26(a)(1) Disclosures with accompanying documentation, except that Defendant City of Chicago did not make Monell-related 26(a)(1) disclosures. In early January, 2021, plaintiffs and defendant officers have also served a first set of written discovery requests consisting of interrogatories and requests for production. On February 9, 2021, plaintiffs issued an amended first set of discovery request. Defendant Officers have produced their Responses to plaintiffs' the Requests to Produce and are in the process of obtaining answers to Plaintiff's Amended Set of interrogatories for the 29 Defendant Officers. Plaintiffs are working in their responses to defendant officers first set of discovery requests. The City would like to hold off on its written Monell discovery responses pending the Court's ruling on the Motion to Reassign and the Motion to Bifurcate. The parties have not yet discussed the issue. The City will file a motion to stay *Monell* discovery in the absence of an agreement between Plaintiffs and the City to stay this discovery.

C. Remaining Discovery (including the identities of witnesses to be deposed)

With respect to fact discovery, the Parties need to complete written discovery on the underlying incident and on the Monell claim in the event the motion to bifurcate is denied. Once the Parties have completed written discovery, they anticipate depositions to proceed as to the Parties. Depositions will be sought by Defendants of the adult plaintiff Krystal Archie, and her minor children (current ages 16, 13 and 9), also plaintiffs. It is anticipated that there will be motion practice relative to the taking of, and/or parameters surrounding the depositions of the minor plaintiffs. Given there are 29 Defendant Officers, and also in light of the pending Motion to Reassign that could potentially involve discovery management concerning multiple additional officer defendants, absent an agreement to

streamline depositions there may be motion practice concerning the number and/or length of depositions.

In addition to the parties, there are witnesses to the underlying incidents, including, but not limited to Tyerie Johnson, Justin Murph, Tanzania Johnson, and/or Alescia Roberts, who may be deposed. Defendants also would seek to depose Plaintiffs' medical providers, who have been disclosed in plaintiff's Rule 26 disclosures: Claudia Rose, LCSW, therapists Karolina Grotkowski, Anjana Jagpal, and Camisha Kibble at University of Chicago, Dr. Lisa Peng at Family Christian Health Center and Dr. Qamar at La Rabida Children's Hospital.

The above-described discovery does not include *Monell* written and document discovery, nor depositions of policy, training or other witnesses on any of the *Monell* issues alleged in the Third Amended Complaint.

D. Status of Settlement Discussions

The City retained former Chief Judge Ruben Castillo to act as a mediator to attempt to settle the group of cases, including this one, but the discussions were generally not successful. The Parties have not exchanged any settlement demands or offers.

E. Settlement Conference

The Parties do not request a settlement conference at this time.

Respectfully submitted,

KRYSTAL ARCHIE, for herself and on behalf of her minor children, SAVANNAH BROWN, TELIA BROWN, and JHAIMARION JACKSON

BY: s/Al Hofeld, Jr.
Plaintiffs' Attorney

Al Hofeld, Jr.
LAW OFFICES OF AL HOFELD, JR., LLC
30 N. LaSalle Street, Suite 3120
Chicago, IL 60602
(773) 241-5844

Defendant, CITY OF CHICAGO

BY: s/ Allen Wall
Special Assistant Corporation Counsel

Lance C. Malina - Special Assistant Corporation Counsel-lcmalina@ktjlaw.com
Allen Wall - Special Assistant Corporation Counsel - jawall@ktjlaw.com
Anthony G. Becknek - Special Assistant Corporation Counsel-agbecknek@ktjlaw.com
KLEIN, THORPE AND JENKINS, LTD.
20 North Wacker Drive, Suite 1660
Chicago, Illinois 60606
(312) 984-6400
Counsel for the City of Chicago

DEFENDANT OFFICERS

BY: s/Larry S. Kowalczyk
Special Assistant Corporation Counsel

Larry S. Kowalczyk- Special Assistant Corporation Counsel- lkowalczyck@querrey.com
Megan K. Monaghan- Special Assistant Corporation Counsel- mmonaghan@querrey.com
QUERREY & HARROW, LTD.
120 N. LaSalle Street, Suite 2600
Chicago, IL 60602
(312) 540-7000
Counsel for Defendant Officers